

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 5 and 11. These sheets, which include Figs. 5 and 11, replace the original sheets including Figs. 5 and 11.

Attachment: Replacement Sheets

REMARKS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 5 and 8-18 are currently pending. Claims 8, 12, and 14-18 have been canceled without prejudice; Claims 5, 9, 10, 11, and 13 have been amended; and Claims 19-23 have been added by the present amendment. Support for the changes and additions to the claims can be found at least in Figure 17 and the discussion related thereto in the specification. The changes and additions to the claims do not add new matter.

In the outstanding Office Action, Claims 5 and 12-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rauch et al. (U.S. Patent No. 5,731,844, hereafter “the ‘844 patent”) in view of Merjanian (U.S. Patent No. 5,920,642, hereafter “the ‘642 patent”) in view of Alexander (U.S. Patent No. 6,177,931, hereafter “the ‘931 patent”), further in view of Fortenberry et al. (U.S. Patent No. 6,101,485, hereafter “the ‘485 patent”); Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over the ‘844, ‘642, ‘931, and ‘485 patents, further in view of Wilkins (U.S. Patent No. 5,446,919, hereafter “the ‘919 patent”); Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over the ‘844, ‘642, ‘931, and ‘485 patents, further in view of Borseth (U.S. Patent No. 6,340,997, hereafter “the ‘997 patent”); Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over the ‘844, ‘642, ‘931, and ‘485 patents, further in view of Schindler (U.S. Patent No. 5,995,155, hereafter “the ‘155 patent”); Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over the ‘844, ‘642, ‘931, and ‘485 patents, further in view of Lawler (U.S. Patent No. 5,758,259, hereafter “the ‘259 patent”).

Applicants respectfully submit that the rejection of Claims 8, 12, and 14-18 are rendered moot by the present cancellation of those claims.

Amended Claim 5 recites, in part,

an electronic program guide (EPG) generation unit configured to generate an EPG in which televisual programs to be provided are classified into categories; and

a similarity calculating unit configured to (1) collect (i) keywords representing contents of the televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet, (2) calculate (i) a user profile based on the collected contents of transactions and (ii) the collected keywords, (3) obtain a similarity of a user profile between the viewers, and (4) send a recommended program to a first viewer, the recommended program being a televisual program which is watched by a second viewer, but not watched by the first viewer, the user profile of the second viewer being most similar to the user profile of the first viewer.

Applicants respectfully submit that the rejection of Claim 5 is rendered moot by the present amendment to that claim.

The '844 patent is directed to a method performed by a computer for obtaining, from a user, a selected program from among a plurality of television programs. In particular, the '844 patent discloses a method that provides for the concurrent display of a television schedule with a graphic description and a textual description of the television program currently selected by the user from a displayed television schedule. Further, the '844 patent discloses that the user designates a topic from the topic list the via an input device and only displays programs from that list which allows the user to select the television program.

However, Applicant respectfully submits that the '844 patent fails to disclose a similarity calculating unit configured to (1) collect (i) keywords representing contents of the televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet, (2) calculate (i) a user profile based on the collected contents of transactions and (ii) the collected keywords, (3) obtain a similarity of a user profile between the viewers, and (4) send a recommended program to a first viewer,

the recommended program being a televisual program which is watched by a second viewer, but not watched by the first viewer, the user profile of the second viewer being most similar to the user profile of the first viewer, as recited in amended Claim 5.

The '642 patent is directed to an image sensing device that converts an optical image from a finger that allows the system to authenticated a user for a computer terminal or allow access to privilege data. However, the '642 patent does not disclose a similarity calculating unit configured to (1) collect (i) keywords representing contents of the televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet, (2) calculate (i) a user profile based on the collected contents of transactions and (ii) the collected keywords, (3) obtain a similarity of a user profile between the viewers, and (4) send a recommended program to a first viewer, the recommended program being a televisual program which is watched by a second viewer, but not watched by the first viewer, the user profile of the second viewer being most similar to the user profile of the first viewer, as recited in amended Claim 5.

The '931 patent discloses a television program unit that allows a user to display or record television programs, video, advertising information, and control program scheduling information. Specifically, the '931 patent teaches that the Profile Program is updated by the number of times that the viewer interacted with the EPG during a particular viewing session, when the user performed particular types of interactions with the EPG, watched a particular channel, interacted with the Internet during a particular viewing session, interacted with a particular website, watched and/or recorded and/or scheduled to watch a program with a particular type of subject (e.g., golf, tennis, football, basketball, baseball, animals, food, etc.), or watched particular actor or actress (col. 29, lines 37-50).

However, Applicants respectfully submit that the '931 patent fails to disclose a similarity calculating unit configured to (1) collect (i) keywords representing contents of the

televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet, (2) calculate (i) a user profile based on the collected contents of transactions and (ii) the collected keywords, (3) obtain a similarity of a user profile between the viewers, and (4) send a recommended program to a first viewer, the recommended program being a televisual program which is watched by a second viewer, but not watched by the first viewer, the user profile of the second viewer being most similar to the user profile of the first viewer, as recited in Claim 5.

The '485 patent discloses e-flyer which is an e-commerce system of soliciting advertisement sales from retailers to a user via hypertext markup language (HTML). Specifically, e-flyers can be generated using a software algorithm from the general content, specifically tailored from the recipient's preferences, or anticipated by shopping needs. The Office Action states that the '485 patent discloses collecting contents of transactions for goods purchased through virtual shops on the Internet by the shopper data. The shopper data may be acquired during visits to an e-commerce site where shopper behavior may be logged, such as actions taken, items purchased, and items viewed. The data is acquired and analyzed in order to target items to a particular user.

However, Applicants respectfully submit that the '485 patent does not disclose a similarity calculating unit configured to (1) collect (i) keywords representing contents of the televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet, (2) calculate (i) a user profile based on the collected contents of transactions and (ii) the collected keywords, (3) obtain a similarity of a user profile between the viewers, and (4) send a recommended program to a first viewer, the recommended program being a televisual program which is watched by a second viewer, but not watched by the first viewer, the user profile of the second viewer being most similar to the user profile of the first viewer, as recited in amended Claim 5.

Thus, no matter how the teachings of the '844, '642, '931, and '485 patents are combined, the combination fails to teach or suggest a similarity calculating unit configured to (1) collect (i) keywords representing contents of the televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet, (2) calculate (i) a user profile based on the collected contents of transactions and (ii) the collected keywords, (3) obtain a similarity of a user profile between the viewers, and (4) send a recommended program to a first viewer, **the recommended program being a televisual program which is watched by a second viewer, but not watched by the first viewer**, the user profile of the second viewer being most similar to the user profile of the first viewer.

Accordingly, Applicants respectfully submit that Claim 5 patentably distinguishes over the teachings of the '844 patent, the '642 patent, the '931 patent, and the '485 patent, either considered alone or in proper combination.

Regarding the rejection of dependent Claims 9-11, Applicants respectfully submit that the '997, '155, and '259 patents fail to remedy the deficiencies of the '844, '931, '642, and '485 patents, as discussed above. Accordingly, Applicants respectfully submit that the rejections of Claims 9-11 are rendered moot by the present amendment to Claim 5.

The present amendment also sets forth new Claims 19-23 for examination on the merits. New independent Claim 22 is directed to a computer readable-medium encoded with instructions for collecting (i) keywords representing contents of the televisual programs viewed by viewers and (ii) contents of transactions for goods purchased by the viewers through virtual shops on the Internet; calculating (i) a user profile based on the collected contents of transactions and (ii) the collected keywords; obtaining a similarity of a user profile between the viewers; and sending a recommended program to a first viewer the recommended program being a televisual program which is watched by a second viewer, but

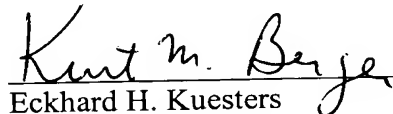
not watched by the first viewer, the user profile of the second viewer being most similar to the user profile of the first viewer. New Claims 19-21, which depend from Claim 5, clarify the features of the calculating unit. Furthermore, new Claim 23, which depends from Claim 22, clarifies the method recited in Claim 22. New Claims 19-23 are supported by the originally filed specification and do not add new matter.

Thus, it is respectfully submitted that independent Claims 5 and 22 (and all associated dependant claims) patentably define over any proper combination of the cited references.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Kurt M. Berger, Ph.D.
Registration No. 51,461